

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

MASSACHUSETTS MUTUAL LIFE
INSURANCE COMPANY,

Plaintiff,

v.

MERRILL LYNCH, PIERCE, FENNER &
SMITH, INC.; DEUTSCHE BANK
SECURITIES INC.; GOLDMAN, SACHS &
CO., INC.; J.P. MORGAN SECURITIES LLC;
AND RBS SECURITIES, INC.,

Defendants.

No. 11-cv-30285-MAP-KPN

DEFENDANT'S CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)

Pursuant to Rule 16.1(D)(3) of the Rules of this Court, undersigned counsel hereby certifies that Defendant Deutsche Bank Securities Inc. and counsel of record from Simpson Thacher & Bartlett LLP conferred (a) with a view to establishing a budget for the costs of conducting the full course—and various alternative courses—of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Dated May 28, 2012

Respectfully submitted,

/s/ Azure Abuirmeileh

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on behalf of
Deutsche Bank Securities Inc.
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Phone (212) 250-2500

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on May 28, 2012.

/s/ Azure Abuirmeileh
Azure Abuirmeileh